

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)	
OPIATE LITIGATION)	MDL No. 2804
)	
)	
THIS DOCUMENT RELATES TO:)	Case No. 1:17-MD-2804
)	
<i>All MDL Tribal Cases Relating to Johnson</i>)	Judge Dan Aaron Polster
<i>& Johnson, Janssen Pharmaceuticals, Inc.,</i>)	
<i>Ortho-McNeil-Janssen Pharmaceuticals,</i>)	
<i>Inc. n/k/a Janssen Pharmaceuticals, Inc.,</i>)	
<i>and Janssen Pharmaceutica Inc. n/k/a</i>)	
<i>Janssen Pharmaceuticals, Inc., and</i>)	
<i>Relating to Walmart, Inc.</i>)	

**MOTION OF THE DIRECTORS OF THE TRIBAL ABATEMENT
FUND TRUST IV AND THE TRIBAL ABATEMENT FUND TRUST VI
FOR AN ORDER WAIVING ANNUAL REPORT AUDIT REQUIREMENTS**

Directors Mary Smith, Kathy Hannan and Kevin Washburn (collectively, the “Directors”), in their capacities as trustees of the Tribal Abatement Fund Trust IV (“TAFT IV”) and of the Tribal Abatement Fund Trust VI (“TAFT VI”), by and through counsel, hereby move the Court for an Order waiving the Annual Report audit requirements set forth in the TAFT IV and TAFT VI Trust Agreements, and in support of their motion, the Directors state as follows:

1. Section 2.4, “Financial Reporting,” of the TAFT IV and TAFT VI Trust Agreements requires the Directors to engage Independent Auditors selected by the Directors to audit the Annual Report made by the Directors with respect to all Trust Assets.

2. As set forth in the audited Annual Reports for TAFT IV and TAFT VI for the year ended December 31, 2023, approximately 97% of TAFT IV and TAFT VI Trust Assets have been distributed to Tribe Beneficiaries.

3. The Directors submit that the expenses and costs associated with engaging Independent Auditors to audit the Annual Report are no longer necessary given the small

percentage of Trust Assets that remain to be distributed, and that minimizing such expenses and costs at this stage of distributions is in the best interests of the Tribe Beneficiaries.

4. Section 6.4 of the TAFT IV and TAFT VI Trust Agreements allows the Directors to modify the requirements of those Trust Agreements by Order of this Court. Notice of this Motion has been made to the Tribe Beneficiaries through the TAFT Portal as of the date of the filing of this Motion in accordance with Section 6.4 of the Trust Agreements.

5. Accordingly, the Directors hereby respectfully request an Order modifying the TAFT IV and TAFT VI Trust Agreements to waive the audit requirements set forth in Section 2.4 of those Trust Agreements for the remaining respective terms of the Trusts.

6. The Directors have notified the Trust Administrator, David R. Cohen, of their intent to seek the foregoing relief from the Court, and the Trust Administrator has no objection to such relief.

Respectfully submitted this 3rd day of June, 2024.

/s/ Joseph E. Lehnert

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Attorney for Directors Mary Smith, Kathy Hannan and Kevin Washburn, in their capacities as trustees of the Tribal Abatement Fund Trust IV and of the Tribal Abatement Fund Trust VI

CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Joseph E. Lehnert

Joseph E. Lehnert

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